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October 3, 2019

Hon. Lois Bloom, USMJ
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Via: ECF

Re: Benbow v. Feeley, et al.,
17-cv-06457-AMD-LB

Dear Judge Bloom,

The parties submit this status letter in advance of the October 10, 2019 conference with the Court. Since the last conference, the Plaintiff filed an Amended Complaint and Defendants have filed an Answer. Moreover, Plaintiff has again been apprised of his rights and risks of proceeding in light of his appeal, and wishes to continue to pursue his claims for excessive force, false arrest, malicious prosecution, unreasonable search and seizure, in addition to the other claims set forth in the Amended Complaint.

In light of Plaintiff's intentions, Defendants renew their request for the Court to stay the case until Plaintiff's criminal appeal is resolved. The Plaintiff objects to the Defendant's renewed request for a stay. Defendants unsuccessfully sought a stay when they opposed Plaintiff's motion to amend. Plaintiff respectfully requests that the Court adhere to its original ruling rejecting a request for a stay. For all of the same reasons the Court rejected the previous request, the Court should reject this subsequent request for a stay as well. See Dkt. Entry dated Aug. 14, 2019.

We thank the Court for its attention to this matter.

Respectfully submitted,
s/Aymen A. Aboushi
Aymen A. Aboushi, Esq.

Cc: All counsel of record via ECF